

REMARKS

Claims 1-10 are presently in this application. Each of the claims have been amended to further clarify the invention which is claimed. No new matter has been added by these amendments, full support being found throughout the initially-filed specification, drawings and claims.

Objections to the Specification

The examiner has objected to the specification, including the Abstract, because of several perceived informalities. By the amendments herein, the applicant has addressed each of these informalities. Accordingly, applicant requests that the objections to the specification be withdrawn.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1-10 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite due to perceived informalities in the only independent claim. By the amendments to the claims herein, applicant has addressed the perceived informalities and has further amended the claims to add additional clarity to the claims. Accordingly, applicant respectfully requests that the rejections under 35 U.S.C. § 112, second paragraph, be withdrawn.

Proof of Cependency

At the request of the examiner, applicant submits proof that International Application PCT/FR99/02486 was co-pending with the present application. Attached is Exhibit A which is a copy of the initial PCT filing. Exhibit B is a copy of the Chapter II Demand. Exhibit C is a copy of the PCT Written Opinion (which is evidence that the Chapter II Demand was received and accepted). These documents prove that the international application went through Chapter II. (The international application was not published because the only designated country was the United States.) Under PCT rules, Chapter II for the international application terminated on April 13, 2001, 30 months after the priority date (October 13, 1998). Accordingly, the present application, which was filed on April 12, 2001, was co-pending with the international application.

CONCLUSION

For the reasons set forth above, applicant respectfully submits that all of the claims remaining in the application are now in condition for allowance. Accordingly, reconsideration, reexamination and allowance of all claims is requested.

Respectfully submitted,  
SHELDON & MAK

Dated: February 24, 2003

By



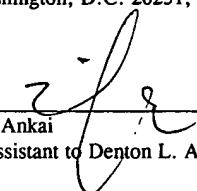
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Signed: February 24, 2003

By:   
Jennifer Ankai  
Legal Assistant to Denton L. Anderson



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14366US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	Group Art Unit: 3738
	)	
GEORGES BAIKOFF	)	Examiner: David Willse
	)	
Serial No.: 09/833,903	)	
	)	
Filed: April 12, 2001	)	
	)	
For: SCLERAL EXPANSION SEGMENT	)	Mailed: Feb. 24, 2003

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SEPARATE PAGES ACCOMPANYING RESPONSE TO OFFICE ACTION

BOX RESPONSE  
Commissioner for Patents  
Washington, D. C. 20231

Dear Sir:

The separate pages in this document provide "marked-up versions" of those paragraphs of the specification and those claims which have been amended in the accompanying Response to Office Action.

The specification has been amended as follows.

The Abstract has been amended as follows:

A [The disclosure concerns a] scleral expansion segment consists [of the type consisting] of an arched rod designed to be

placed on the sclera perpendicular to the ciliary body. The arched rod has a pair of free ends connected by a bridge. The free ends [of said rod] have a spatula shape wider than the diameter of the [said bridge], so as to constitute wide support bases.

Paragraph 0001 has been amended as follows:

This application is a continuation of International Application Serial No. PCT/FR99/02486, filed October 13, 1999 and never published, which claims priority as a continuation of French patent application Serial No. 98/12834, filed October 13, 1998, which issued as [a] French Patent No. 2784287 on [98/12834 as of] December 8, 2000.

Paragraph 0028 has been amended as follows:

In the embodiments represented in the drawings, said bases, seen from the top, have [a] an overall ellipsoidal shape. Their ends are rounded in order to avoid damaging the sclera.

Paragraph 0029 has been amended as follows:

The material used for manufacture of the scleral expansion segment is a biocompatible

synthetic material, such as PMMA, polyHEMA  
[polyhema] or ceramic.

Paragraph 0049 has been amended as follows:

It was indicated at the beginning of this specification that the segments are generally arranged in 4's roughly at 90°, perpendicular to the ciliary body at approximately 3 mm behind the limbus (Figure 7c [6c]), but other arrangements can be adopted, for example, two segments in polar positions (Figure 7a [6a]) or three segments at 120° (Figure 7b [6b]).

The claims have been amended as follows.

1. (Amended) A scleral [Scleral] expansion segment comprising [of the type consisting of] an arched rod having two free ends connected by a bridge, the arched rod being designed to be placed on the sclera perpendicular to the ciliary body[, and being characterized in that the free ends of said rod have a spatula shape wider than the diameter of said bridge, so as to constitute wide support bases.

2. (Amended) The segment [Segment] according to Claim 1, characterized in that the bases have a radius of curvature R1 corresponding to that of the sclera perpendicular to the ciliary body, whereas [where] the bridge has a radius of curvature R2 less than R1.

3. (Amended) The segment [Segment] according to Claim 2, characterized in that it defines [presents] a multitude of perforations.

4. (Amended) The segment [Segment] according to Claim 2, characterized in that it is coated with a biocompatible synthetic material with a porous surface.

5. (Amended) The segment [Segment] according to Claim 4, characterized in that it consists of a core of [the] formable material with shape memory, sunk in a layer of soft material.

6. (Amended) The segment [Segment] according to Claim 4, characterized in that it has an internal canal intended for placement of a core, the nature and strength of which can be chosen in order to adjust the effect of the scleral expansion segment.

7. (Amended) The segment [Segment] according to Claim 6, characterized in that the core consists of an injectable product.

8. (Amended) The segment [Segment] according to Claim 7, characterized in that it is made in two parts, a first part and a second part, which interlock [interlocking] with each other.

9. (Amended) The segment [Segment] according to Claim 8, characterized in that the first part includes [consists of] a base equipped with a female attachment means, while the second

part concludes [consists of] the other base combined with the bridge, the free end of which contains a male attachment means.

10. The segment [Segment] according to Claim 9, characterized in that the two parts contain means for preventing any rotation relative to each other.

Respectfully submitted,

SHELDON & MAK

Dated: February 24, 2003

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